IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.1357 OF 2007

1. Dnyandeo Parbhu Gaware
2. Tarabai Dnyandeo Gaware
3. Janabai Laxman Gaware
All are r/o Karegaon,
Tal.Shirur, Dist.Pune ..Applicants

Vs.

State of Maharashtra ..Respondents

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Mr.Milind Deshmukh Advocate for Applicants
Mr.S.R.Shinde, A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : APRIL 27, 2007

P.C.

1. Heard the learned advocate for the applicants and the learned A.P.P. for the State.

2. The applicants are seeking anticipatory bail in C.R.No.45 of 2007 of Shirur Police Station. The said case is mainly under Section 302 of IPC.

3. Deceased Rani was the daughter in law of applicant nos.1 and 2 and applicant no.3 was the wife of the brother of husband of Rani. Rani died on account of burn injuries.

4. Mr.Deshmukh, the learned advocate for the applicants has submitted that in the dying declaration which was recorded first in point of time i.e. 6.3.2007 at 10.45 a.m., Rani does not implicate any of the applicants. However, in the second dying declaration which was recorded on 7.3.2007, she has falsely implicated the applicants. He has further submitted that even in the second dying declaration, Rani has not attributed to the applicants any role to actually setting her on fire. He has further submitted that applicant no.1 is 75 years of age, applicant no.2 is a lady and she is over 70 years of age and applicant no.3 Janabai is a young house-wife and she has minor children of 9 years and 4 years respectively. Looking to the above facts and that two of the applicants are ladies and the third applicant is over 75 years of age, I am inclined to grant anticipatory bail to the applicants.

5. In the event of arrest, each of the three applicants to be released on bail in the sum of Rs.20,000/- (Rs.Twenty thousand only) with one or two sureties to make up the said amount in

C.R.No.45 of 2007 of Shirur Police Station. The applicants shall report to the concerned Police Station once in a week till the conclusion of trial.

6. Application is disposed of.

[Smt. V.K.Tahilramani, J.]